

DEC 19 2005

PATENT

MS306454.1/MSFTP518US

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence (along with any paper referred to as being attached or enclosed) is being faxed to 571-273-8300 on the date shown below to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Date: 12/19/05Casey L. Martin
Casey L. Martin

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Applicants: Raymond W. McCollum, *et al.*

Examiner: Nguyen Ba, Hoang Vu A

Serial No: 10/692,216

Art Unit: 2192

Filing Date: October 23, 2003

Title: MODEL-BASED MANAGEMENT OF COMPUTER SYSTEMS
AND DISTRIBUTED APPLICATIONSCommissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER UNDER 37 C.F.R. §1.321

Dear Sir:

I, David W. Grillo, represent that I am an attorney of record for U.S. Patent Application Serial No. 10/692,216, filed October 23, 2003, and entitled, "MODEL-BASED MANAGEMENT OF COMPUTER SYSTEMS AND DISTRIBUTED APPLICATIONS." The owner, Microsoft Corporation, of 100 percent interest in the above-identified application hereby disclaims, except as provided below, the terminal part of any patent granted on the above-identified patent application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 of U.S. Patent Application Serial Nos. 10/692,432, 10/693,838 and 10/789,440, as

12/20/2005 TL0111 00000009 501063 10692216

01 FC:1814

130.00 0P

10/692,216

MS306454.1/MSFTP518US

presently shortened by any terminal disclaimer, and it is hereby agreed that any patent so granted on the above-identified patent application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent Application Serial Nos. 10/692,432, 10/693,838 and 10/789,440, this agreement to run with any patent granted on the above-identified patent application and to be binding upon the grantee, its successors or assigns.

In making the above disclaimer, disclaimant does not disclaim any terminal part of any patent granted on the above-identified patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of U.S. Patent Application Serial Nos. 10/692,432, 10/693,838 and 10/789,440, as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by a terminal disclaimer, except for the separation of legal title stated above.

A credit card payment form is filed concurrently herewith in connection with all fees (\$130.00) due associated with this Terminal Disclaimer. In the event any additional fees may be due and/or are not covered by the credit card, the Commissioner is authorized to charge such fees to Deposit Account No. 50-1063 [MSFTP518US].

Respectfully submitted,
AMIN & TUROCY, LLP



David W. Grillo
Reg. No. 52,970

AMIN & TUROCY, LLP
24TH Floor, National City Center
1900 E. 9TH Street
Cleveland, Ohio 44114
Telephone: (216) 696-8730
Facsimile: (216) 696-8731